

UNITED STATES DISTRICT COURT

for the

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO

ON THE BEACH BOUTIQUE LLC and KATHY FYE

Plaintiff

v.

MARISSA GARCIA

Defendant

Civil Action No. 22-cv-578

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) Marissa Garcia

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

BRAUN IP LAW , Jeanette M. Braun, Esq. , 1600 W. Lake Street Ste 103B , Addison,
IL 60101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 22-cv-578

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Marissa Garcia was received by me on *(date)* 26 April 2022.

☐ I personally served the summons on the individual at *(place)* _____ on *(date)* _____; or

☒ I left the summons at the individual's residence or usual place of abode with *(name)* "John and Jane Doe", a person of suitable age and discretion who resides there, on *(date)* Mon, May 02 2022.

☐ I served the summons on *(name of individual)* _____, who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or

☐ I returned the summons unexecuted because: _____; or

☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ \$153.20.

I declare under penalty of perjury that this information is true.

Date: 05/09/2022



Server's signature

Dawnette Snyder Process Server

Printed name and title

2637 N. Washington Blvd., Ste. 236, North Ogden, UT 84414

Server's address

Additional information regarding attempted service, etc.:

1) Unsuccessful Attempt: Apr 27, 2022, 4:05 pm MDT at 1389 W 2375 S, Syracuse, UT 84075

Tried residence address. There was no answer at the door. No cars.

2) Unsuccessful Attempt: Apr 27, 2022, 6:33 pm MDT at 1389 W 2375 S, Syracuse, UT 84075

Tried residence address. There was no answer at the door. Lights on inside and blinds open. Ring doorbell. I only knocked because, sometimes people will answer and tell you they are not home to evade service.

3) Unsuccessful Attempt: Apr 27, 2022, 6:45 pm MDT at 1389 W 2375 S, Syracuse, UT 84075

Before leaving, I knocked on neighbors door to see if I could get confirmation that the subject does in fact live there. No answer at 1390, or 1405. The lady in 1406 said that she doesn't know them, upon showing her a photo of the subject, she said she couldn't recall what they look like. At 6:45 pm, a male about 13 yrs old came out of the garage to put the garbage can on the curb. I asked him if his mother was home and he said no. I asked when she would be back he said he didn't know. I went back to the front door and rang the doorbell. A man answered and I asked if Marissa was there, he said "No, we are out to dinner". I asked when they would be back, he said about 9:30 pm. I told him I had legal papers for his wife, and would come

back later. I felt like he wasn't being honest with me about when they would return, so I drove to the end of the road, parked and waited for them. No one came or left. At 9:40, I went back to the door and rang the Ring doorbell. He immediately started to yell at me, that I was going to wake up his kids. I told him that when we spoke earlier, I told him I would return, and was doing just that. He said he wasn't home, and then started asking about the legal papers. He continued yelling and was cussing at me, then told me that I had the wrong house. I said that I had asked for Marissa when I first spoke to him, and he told me they were out to dinner. Again, I felt he was lying to me, as he didn't say it was a bad address in the beginning. I called Marissa's phone number 505-804-9137, there was a message saying that they were not accepting calls at this time.

4) Successful Attempt: May 2, 2022, 8:19 pm MDT at 1389 W 2375 S, Syracuse, UT 84075 received by "John and Jane Doe".
Other: Spoke to them through the Ring doorbell. ;

Upon arrival I spoke to the neighbor and asked if the subject lived there. I showed them her photo, they both confirmed that she does in fact live there. I went back to the subject's house, lights were on inside, I could hear the television on, and the dog barking. I could also hear movement inside (like someone's foot coming down onto the landing by the door). I rang the Ring doorbell. No one would answer, and firmly believe are evading service. I spoke to them through the doorbell, and told them that I had confirmation that Marissa does in fact live here and that they lied to me. I told them that I had already notified them of the legal papers, and was leaving the documents on the door step. I told them that they had been served. I also texted the subject 505-804-9137, and told her that she had been served.